

COPY

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Clear Water Pond	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Clear Water Pond	
	Impoundment Number	004	
	UPDES Permit Number	UT 024759	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 4.9 acre-feet Maximum Sediment Depth Elevation = 6527 Existing Sediment Elevation = 6523+-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6530.1</p> <div style="text-align: right;"> <p>File in: <input type="checkbox"/> Confidential <input type="checkbox"/> Shelf <input checked="" type="checkbox"/> Expandable Refer to Record No. 0008 Date 04/19/2002 In C0070035, 2002 In coming For additional information</p> </div>		

0008



Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

COPY

OK

April 19, 2002

Daron Haddock
STATE OF UTAH
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, Utah 84114-5801

*Incensing
C/007/035*

RE: First Quarter 2002 Inspection Report

Dear Mr. Haddock:

Please find enclosed a copy of the First Quarter 2002 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil areas. The inspection was performed by a professional engineer from Psomas and Associates Engineering.

Should you have any questions, please contact Rusty Netz at (435) 888-4476.

Sincerely,

Agent For
Sunnyside Cogeneration Associates

Randy J. Scott

Randy J. Scott
Plant Manager

Enclosure

c.c. Carl Houskeeper/Division of Oil, Gas & Mining
Rusty Netz, COSI
Plant File

File in:

C/007/0035/2002, Incensing

Refer to:

- ☐ Confidential
☐ Shelf
☒ Expandable

Date *04/19/02* for additional information

RECEIVED

APR 24 2002

DIVISION OF
OIL, GAS AND MINING

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Clear Water Pond

- 4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

No discharge, inlet/outlet conditions are good

No structural or hazardous conditions exist.

- 5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Pond was essentially dry.

No structure or stability problems observed.

Reclamation of Sunnyside Coal Property near this area is completed. Among the facilities reclaimed is the Slurry Ditch, which connected to the SCA Properties. This ditch has been filled in near the SCA Property and is no longer a major storm water conveyance facility to the Slurry Ponds #1 and #2 or to the Clearwater Pond or to the East Slurry Cell. Watersheds, which previously contributed to these ponds, are no longer doing so.

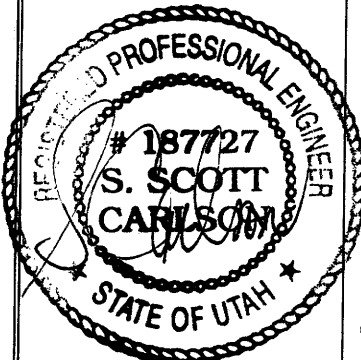
In accordance with the approved plan to construct the Excess Spoil Disposal area #2, the Slurry Ponds #1 and #2 no longer receive storm runoff. These storm flows are now routed either directly to the East Slurry Cell or to the Clear Water Pond. With the reclamation activities at Sunnyside Coal, both of these ponds have ample capacity to handle the storm flows without the Slurry Ponds in series.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: 

Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Clear Water Pond	
CERTIFIED REPORT			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		yes	
COMMENTS AND OTHER INFORMATION			
<p>None</p>			
Certification Statement:		<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p>	
		<p>By: <u>S. Scott Carlson</u> Project Director</p> <p style="text-align: center;">(Full Name and Title)</p> <p>Signature: <u><i>Scott Carlson</i></u> Date: <u>4/12/02</u></p> <p>P.E. Number & State: <u>187727 UT</u></p>	

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Railcut Pond	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Railcut Sediment Pond	
	Impoundment Number	007	
	UPDES Permit Number	UT 024759	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6212.34 Primary Drain Elevation = 6209.07</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Railcut Pond

- 4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

No discharge, inlet/outlet conditions are good,
no structural or hazardous conditions exist.

- 5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

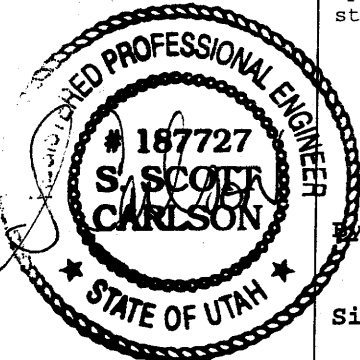
No changes. Pond was essentially dry.
No structure or stability problems observed.

**Qualification
Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Railcut Pond	
CERTIFIED REPORT			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		yes	
COMMENTS AND OTHER INFORMATION			
<p>None</p>			
Certification Statement:		<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p>	
		<p>By: <u>S. Scott Carlson, P.E. Project Director</u></p> <p>Signature: <u><i>Scott Carlson</i></u> Date: <u>4/12/02</u></p> <p>P.E. Number & State: <u>187727 - UT</u></p>	

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		OCRR Pond	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Old Coarse Refuse Road Sediment Pond	
	Impoundment Number	008	
	UPDES Permit Number	UT 024759	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
Required for an impoundment which functions as a SEDIMENTATION POND	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = .09 acre-feet Maximum Sediment Depth Elevation = 6394.75 Estimated Existing Sediment Elevation = 6394+-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6399.4 Primary Drain Elevation = 6395.75</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

OCRR Pond

- 4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

No discharge, Pond was essentially dry. inlet/outlet conditions are good,
No structural or hazardous conditions exist.

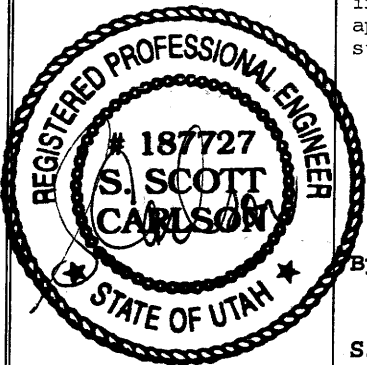
- 5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes, no structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		OCRR Pond	
CERTIFIED REPORT			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		yes	
COMMENTS AND OTHER INFORMATION			
None			
Certification Statement:	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.		
	By: <u>S. Scott Carlson P.E. Project Director</u> Signature: <u><i>Scott Carlson</i></u> Date: <u>4/12/02</u> P.E. Number & State: <u>187727 - UT</u>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Pasture Pond	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Pasture Sediment Pond	
	Impoundment Number	009	
	UPDES Permit Number	UT 024759	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	First Quarter Inspection 2002		

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

NONE

Required for an impoundment which functions as a SEDIMENTATION POND

2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.

Storage Capacity = 1.0 acre-feet
Maximum Sediment Depth Elevation = 6485.5
Estimated Existing Sediment Elevation = 6484+-

3. Principle and emergency spillway elevations.

Spillway Elevation = 6490.6
Primary Drain Elevation = 6486.6

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Pasture Pond

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry.

No discharge, inlet/outlet conditions are good,

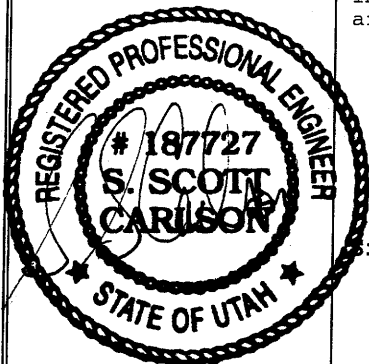
No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes. No structure or stability problems observed.

**Qualification
Statement**

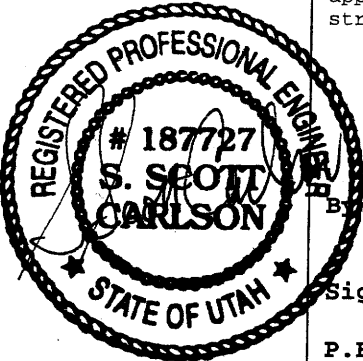
I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



Signature: _____

A handwritten signature in black ink that reads "S. Scott Carlson".

Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Pasture Pond	
CERTIFIED REPORT			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		yes	
COMMENTS AND OTHER INFORMATION			
None			
Certification Statement:	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p>		
	<p>By: <u>S. Scott Carlson</u> Project Director</p> <p>Signature: <u><i>Scott Carlson</i></u> Date: <u>4/12/02</u></p> <p>P.E. Number & State: <u>187727 - UT</u></p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		CRT Pond	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	New Coarse Refuse Toe Sediment Pond	
	Impoundment Number	012	
	UPDES Permit Number	UT 024759	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
Required for an impoundment which functions as a SEDIMENTATION POND	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 1.6 acre-feet Maximum Sediment Depth Elevation = 6177.0 Estimated Existing Sediment Elevation = 6176+-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6183.63 Primary Drain Elevation = 6178.2</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

CRT Pond

- 4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry.

No discharge, inlet/outlet conditions are good,

No structural or hazardous conditions exist.

- 5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes. No structure or stability problems observed.

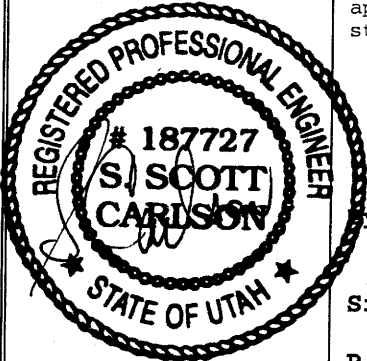
**Qualification
Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

Scott Carlson

Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		CRT Pond	
CERTIFIED REPORT			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		yes	
COMMENTS AND OTHER INFORMATION			
<p style="margin-left: 40px;">None</p>			
Certification Statement:		<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p>	
		<p>By: <u>S. Scott Carlson - Project Director</u></p> <p>Signature: <u><i>S. Scott Carlson</i></u> Date: <u>4/12/02</u></p> <p>P.E. Number & State: <u>187727 - UT</u></p>	

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		COAL RUNOFF POND	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Coal Runoff Sediment Pond	
	Impoundment Number	014	
	UPDES Permit Number	UT 024759	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
Required for an impoundment which functions as a SEDIMENTATION POND	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 1.5 acre feet Maximum Sediment Depth Elevation = 6476.0 Estimated Existing Sediment Elevation = 6474±</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6477.9 Emergency Spillway Elevation = 6479.0</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

COAL RUNOFF POND

- 4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry.

No discharge, inlet and outlet conditions are good.

No structural or hazardous conditions exist.

- 5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

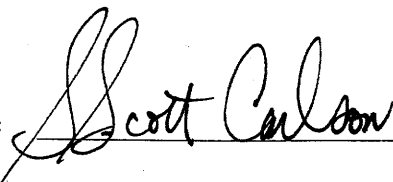
No changes.

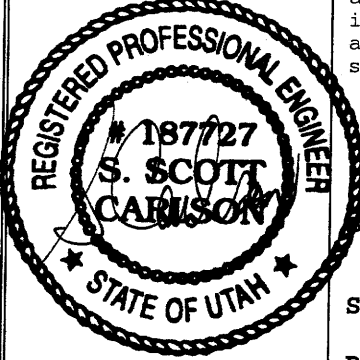
No structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	COAL RUNOFF POND	
CERTIFIED REPORT		
IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	yes	
COMMENTS AND OTHER INFORMATION		
<p>None</p>		
Certification Statement:	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p>	
	<p>By: <u>S. Scott Carlson - Project Director</u> (Full Name and Title)</p> <p>Signature: <u><i>Scott Carlson</i></u> Date: <u>4/12/02</u></p> <p>P.E. Number & State: <u>187727 - UT</u></p>	

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Borrow Area Pond	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Borrow Area Pond	
	Impoundment Number	016	
	UPDES Permit Number	UT 024759	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
Required for an impoundment which functions as a SEDIMENTATION POND	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 8.3 acre-feet Maximum Sediment Depth Elevation = 6513.3 Estimated Existing Sediment Elevation = 6511+-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6517.03 Primary Drain Elevation = 6514.3</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Borrow Area Pond

- 4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry.
No discharge, inlet/outlet conditions are good,
No structural or hazardous conditions exist.

- 5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

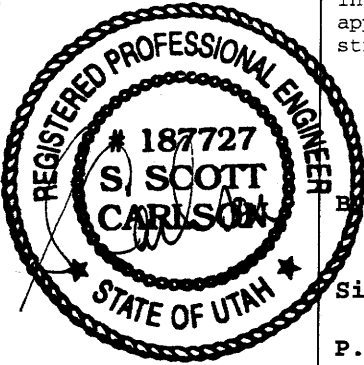
No changes.
No structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: 

Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Borrow Area Pond	
CERTIFIED REPORT			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		yes	
COMMENTS AND OTHER INFORMATION			
<p>none</p>			
Certification Statement:		<p>I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p>	
		<p>By: <u>S. Scott Carlson, P.E. Project Director</u></p> <p>Signature: <u><i>Scott Carlson</i></u> Date: <u>4/12/02</u></p> <p>P.E. Number & State: <u>187727 Utah</u></p>	

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	ACT/007/035	Report Date 4/12/02
Mine Name	SUNNYSIDE REFUSE AND SLURRY	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	File Name:	Coarse Refuse Pile
	File Number	N/A
	MSHA ID Number	1211-UT-09-02093-01
Inspection Date	3/26/02	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002
		Attachments to Report? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Field Evaluation		
1. Foundation preparation, including the removal of all organic material and topsoil.		
N/A		
2. Placement of underdrains and protective filter systems.		
N/A		
3. Installation of final surface drainage systems.		
N/A		
4. Placement and compaction of fill materials.		
N/A		
Removal of Coarse and fine Refuse Material Only		

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

No smokers visible

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

Waste Coal Removal

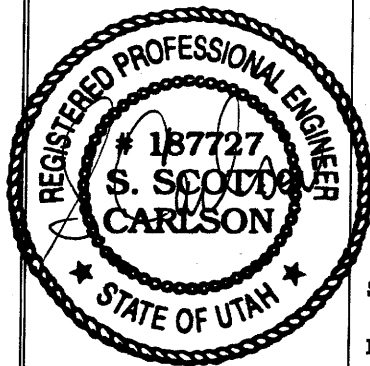
On August 29, 2001, SCA petitioned MSHA for a change in status for the MSHA classified structure West Slurry Cell.

In a letter dated September 10, 2001, MSHA approved the West Slurry Cell Impoundment for abandonment and indicated that it would be removed from the mine files. This was done on the basis that the impoundment was abandoned in a manner to preclude the probability of future impoundment of water, sediment, or slurry. The site of this former impoundment is still regulated by MSHA as the Coarse Refuse Pile and is the location of SCA's main excavation activity.

Copies of the letters between SCA and MSHA regarding these changes are attached to the inspection report for the West Slurry Cell

Certification Statement

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



By: S. Scott Carlson - Project Director
(Full Name and Title)

Signature: _____

Date: 4/12/02

P.E. Number & State: 187727 - UT



Coarse Refuse Pile from West Looking East



Coarse Refuse Pile from West Looking East

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		East Slurry Cell	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	East Slurry Cell	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	1211-UT-09-02093-02	
IMPOUNDMENT INSPECTION			
Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
Required for an impoundment which functions as a SEDIMENTATION POND	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 27+- acre-feet Maximum Sediment Depth Elevation = N/A Estimated Existing Sediment Elevation = N/A</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>N/A</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

East Slurry Cell

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry.
No structural or hazardous conditions exist.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

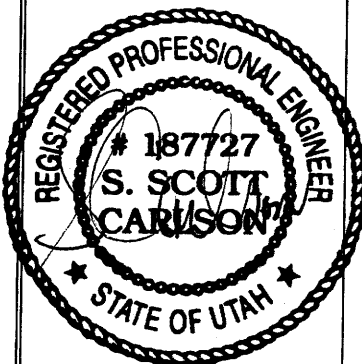
Slurry Cell is not receiving slurry from any source, currently functioning as a sediment pond. No structural or stability problems observed.

Reclamation of Sunnyside Coal Property near this area is completed. Among the facilities reclaimed is the Slurry Ditch, which connected to the SCA Properties. This ditch has been filled in near the SCA Property and is no longer a major storm water conveyance facility to the Slurry Ponds #1 and #2 or to the Clearwater Pond or to the East Slurry Cell. Watersheds, which previously contributed to these ponds, are no longer doing so.

In accordance with the approved plan to construct the Excess Spoil Disposal area #2, the Slurry Ponds #1 and #2 no longer receive storm runoff. These storm flows are now routed either directly to the East Slurry Cell or to the Clear Water Pond. With the reclamation activities at Sunnyside Coal, both of these ponds have ample capacity to handle the storm flows without the Slurry Ponds in series.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



Signature: _____

Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	East Slurry Cell	
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CERTIFIED REPORT

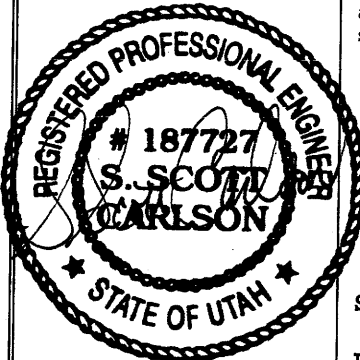
IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	yes	

COMMENTS AND OTHER INFORMATION

On August 29, 2001, SCA petitioned MSHA for a change in inspection requirements this MSHA classified structures.

In a letter dated September 12, 2001, MSHA approved a change in the frequency of inspections for the East Slurry Cell Impoundment, requiring monthly inspections instead of weekly. This was done on the basis that the impoundment has not received new slurry discharge since 1995 and at present, only storm water events report to the pond.

Copies of the letters between SCA and MSHA regarding these changes are attached.

<p>Certification Statement:</p> 	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p> <p>By: <u>S. Scott Carlson - Project Director</u> (Full Name and Title)</p> <p>Signature: <u><i>S. Scott Carlson</i></u> Date: <u>4/12/02</u></p> <p>P.E. Number & State: <u>187727 - UT</u></p>
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Coal Mine Safety and Health
District 9

SEP 12 2001

Randy J. Scott
Plant Manager
Sunnyside Cogeneration Associates
One Power Plant Road
Sunnyside, UT 84539

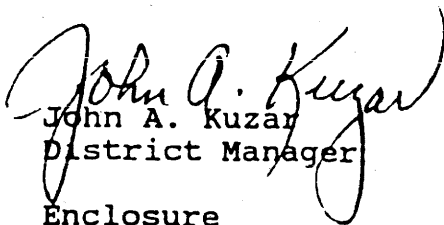
RE: Sunnyside Waste Coal Site
Mine ID No. 42-02093
East Slurry Cell
ID #1211-UT-09-02093-02
Impoundment Inspection Interval

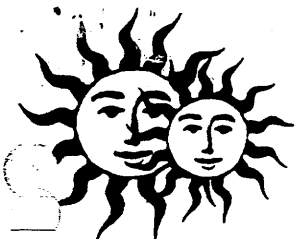
Dear Mr. Scott:

Your request, in a letter dated August 29, 2001, concerning authorization to change the referenced impounding structure's mandatory inspection interval is **approved** in accordance with 30 CFR 77.216-3(a)(1). This approval is site-specific to the above referenced impoundment structure for the subject mine and will terminate when the site is abandoned or when you are notified of termination by the District Manager.

If you have any questions regarding this approval letter, please contact Billy Owens or Alice Perry of this office at 303-231-5463 extensions 145 and 139, respectively, or 303-231-5458.

Sincerely,


John A. Kuzar
District Manager
Enclosure

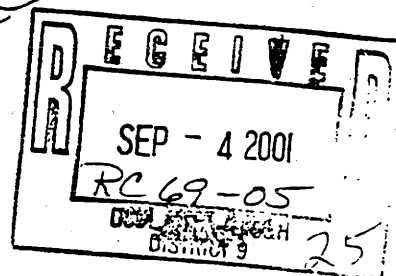


Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

9/6/01

August 29, 2001



Mine Safety & Health Administration
District Manager
John A. Kuzar
P.O.Box 25367 D.F.C.
Denver, Co. 80225
Phone (303) 231-5458

Re: Sunnyside Coal Waste Site, 42-02093
East Slurry Impoundment, 1211-UT-09-02093-02
Coal Refuse Pile, 1211-UT-09-02093-01

Dear Mr. Kuzar

Sunnyside Cogeneration Associates(SCA) is requesting your approval to change our inspection frequency on the above referenced impoundment's and coal refuse pile. At the present we are inspecting the structures once every seven days(weekly), and are requesting that the inspection be made every 30 days(monthly).

The East Slurry Pond has not been used for its designed purpose, to contain slurry discharge, since 1995. At present, only storm water events report to the pond, with plenty of free board space.

The Coal Refuse Pile is currently being mined and has been since 1993. In 1995, the Sunnyside Coal Company stopped placing refuse material on the pile.

The following are steps and precautions that SCA would take upon this request being approved.

1. If a seismic activity occurs in the vicinity of the impoundment/refuse pile, an on-site inspection shall commence immediately.
2. If someone reports an unusual condition that may affect the safety/stability of the impoundment/refuse pile, an on-site inspection shall commence immediately.
3. If a significant runoff/precipitation event occurs, an on-site inspection will follow.

APPROVED

SEP 12 2001

MS&H

District Manager
John A. Kuzar
August 28, 2001
Page Two

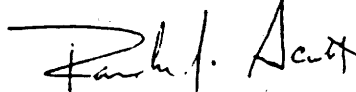
4. The impoundment/refuse pile will be inspected at an interval not to exceed 30 days.
5. A daily monitoring record of the measurable rainfall shall be kept. All records about the impoundment/refuse pile shall be made available to MSHA personnel upon request.

The inspection frequency requirements will not preclude additional safety measures that an on site MSHA representative may require.

Should you have any questions, please contact Rusty Netz at (435)888-4476.

Sincerely,

Agent For
Sunnyside Cogeneration Associates



Randy J. Scott
Plant Manager

c.c. Ted E. Farmer/Supervisory CMS&H Inspector-Price
Gene Ray/Supervisory CMS&H Inspector-Price
Plant File

APPROVED

JUL 12 2001

CMS&H

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		West Cell	
Permit Number	ACT/007/035	Report Date 4/12/02	
Mine Name	SUNNYSIDE REFUSE AND SLURRY		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	West Slurry Cell	
	Impoundment Number	N/A	
	UPDES Permit Number	N/A	
	MSHA ID Number	1211-UT-09-02093-03	
IMPOUNDMENT INSPECTION			
Inspection Date	3/26/02		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
Required for an impoundment which functions as a SEDIMENTATION POND	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = N/A Maximum Sediment Depth Elevation = N/A Estimated Existing Sediment Elevation = N/A</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>N/A</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

West Cell

- 4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Slurry Cell is Inactive
Refuse Removal

- 5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

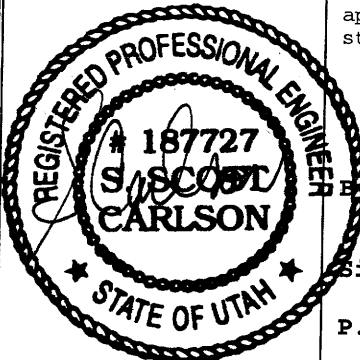
Slurry Cell is not receiving slurry from any source

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

Date: 4/12/02

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		West Cell	
CERTIFIED REPORT			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		yes	
COMMENTS AND OTHER INFORMATION			
<p>On August 29, 2001, SCA petitioned MSHA for a change in status for this MSHA classified structure.</p> <p>In a letter dated September 10, 2001, MSHA approved the West Slurry Cell Impoundment for abandonment and indicated that it would be removed from the mine files. This was done on the basis that the impoundment was abandoned in a manner to preclude the probability of future impoundment of water, sediment, or slurry. The site of this former impoundment is still regulated by MSHA as the Coarse Refuse Pile and is the location of SCA's main excavation activity.</p> <p>Copies of the letters between SCA and MSHA regarding these changes are attached.</p> <p>No further inspection reports will be prepared for the West Slurry Cell. All future inspections of this area will be filed as the Coarse Refuse Pile.</p>			
Certification Statement: 		<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p> <p>By: <u>S. Scott Carlson - Project Director</u> (Full Name and Title)</p> <p>Signature: <u><i>Scott Carlson</i></u> Date: <u>4/12/02</u></p> <p>P.E. Number & State: <u>187727 UT</u></p>	

U. S. Department of Labor

Mine Safety and Health Administration
P O Box 25367
Denver, Colorado 80225



Coal Mine Safety and Health
District 9

SEP 10 2001

SEP 13 2001

Randy J. Scott
Plant Manager
Sunnyside Cogeneration Associates
One Power Plant Road
Sunnyside, UT 84539

cc: Randy Scott
Randy Scott

RE: Sunnyside Waste Coal Site
Mine ID No. 42-02093
West Slurry Impoundment
ID No. 1211-UT-09-02093-03
Impoundment Abandonment

Dear Mr. Scott:

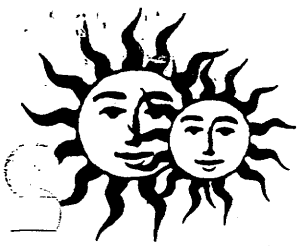
MSHA personnel have reviewed and concur with the certification that the referenced site was abandoned in a manner to preclude the probability of future impoundment of water, sediment, or slurry. The above referenced impoundment is **approved for abandonment** and will be removed from the mine files.

The referenced impoundment identification number will be removed from the mine file. MSHA inspection and reporting requirements no longer apply to the referenced structure.

If you have any questions regarding this approval, please contact Billy Owens at 303-231-5463 extension 145 or 303-231-5458.

Sincerely,

John A. Kuzar
John A. Kuzar
District Manager

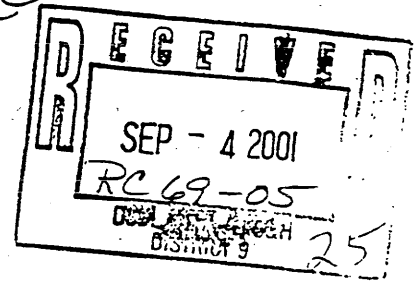


Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

9/6/01

August 29, 2001



Mine Safety & Health Administration
District Manager
John A. Kuzar
P.O.Box 25367 D.F.C.
Denver, Co. 80225
Phone (303) 231-5458

Re: Sunnyside Coal Waste Site, 42-02093
East Slurry Impoundment, 1211-UT-09-02093-02
Coal Refuse Pile, 1211-UT-09-02093-01

Dear Mr. Kuzar

Sunnyside Cogeneration Associates(SCA) is requesting your approval to change our inspection frequency on the above referenced impoundment's and coal refuse pile. At the present we are inspecting the structures once every seven days(weekly), and are requesting that the inspection be made every 30 days(monthly).

The East Slurry Pond has not been used for its designed purpose, to contain slurry discharge, since 1995. At present, only storm water events report to the pond, with plenty of free board space.

The Coal Refuse Pile is currently being mined and has been since 1993. In 1995, the Sunnyside Coal Company stopped placing refuse material on the pile.

The following are steps and precautions that SCA would take upon this request being approved.

1. If a seismic activity occurs in the vicinity of the impoundment/refuse pile, an on-site inspection shall commence immediately.
2. If someone reports an unusual condition that may affect the safety/stability of the impoundment/refuse pile, an on-site inspection shall commence immediately.
3. If a significant runoff/precipitation event occurs, an on-site inspection will follow.

APPROVED

SEP 12 2001

CM&H

District Manager
John A. Kuzar
August 28, 2001
Page Two

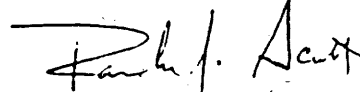
4. The impoundment/refuse pile will be inspected at an interval not to exceed 30 days.
5. A daily monitoring record of the measurable rainfall shall be kept. All records about the impoundment/refuse pile shall be made available to MSHA personnel upon request.

The inspection frequency requirements will not preclude additional safety measures that an on site MSHA representative may require.

Should you have any questions, please contact Rusty Netz at (435) 888-4476.

Sincerely,

Agent For
Sunnyside Cogeneration Associates



Randy J. Scott
Plant Manager

c.c. Ted E. Farmer/Supervisory CMS&H Inspector-Price
Gene Ray/Supervisory CMS&H Inspector-Price
Plant File

APPROVED

JUL 12 2001

CMH/ST

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Excess Spoil Pile #1
Permit Number	ACT/007/035	Report Date 4/12/02
Mine Name	SUNNYSIDE REFUSE AND SLURRY	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Excess Spoil Disposal Area #1
	Pile Number	N/A
	MSHA ID Number	1211-UT-09-02093-04
Inspection Date	3/26/02	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002
		Attachments to Report? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Field Evaluation		
1. Foundation preparation, including the removal of all organic material and topsoil. N/A		
2. Placement of underdrains and protective filter systems. N/A		
3. Installation of final surface drainage systems. N/A		
4. Placement and compaction of fill materials. Did not receive spoils material during this Quarter.		

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

None

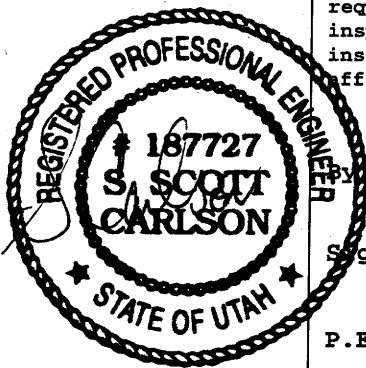
7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

No Construction occurred during this quarter. Construction in previous quarters had been proceeding in shallow lifts in general conformance with the approved plan.

No evidence exists of fires in the pile.

**Certification
Statement**

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



S. Scott Carlson - Project Director
(Full Name and Title)

Signature: _____

Date: 4/12/02

P.E. Number & State: 187727 - UT



Excess Spoil Disposal Area #1, from east side looking west

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Excess Spoil Pile #2
Permit Number	ACT/007/035	Report Date 4/12/02
Mine Name	SUNNYSIDE REFUSE AND SLURRY	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Excess Spoil Disposal Area #2
	Pile Number	N/A
	MSHA ID Number	1211-UT-09-02093-05
Inspection Date	3/26/02	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002
		Attachments to Report? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Field Evaluation		
<p>1. Foundation preparation, including the removal of all organic material and topsoil.</p> <p>Existing disturbed site. No topsoil removal is required by approved plan.</p>		
<p>2. Placement of underdrains and protective filter systems.</p> <p>Under-drains and filters are not required by approved plan. The Slurry Ponds #1 and #2 no longer receive inflows of any storm waters. The inlet culverts have been removed and storm water rerouted to other impoundments.</p>		
<p>3. Installation of final surface drainage systems.</p> <p>N/A</p>		
<p>4. Placement and compaction of fill materials.</p> <p>Placement and compaction of fill material continues in this disposal area. Material consists generally of coarse refuse rejects and is being placed in general conformance with the approved plan.</p> <p>Approximately 200 tons of material was placed during the Quarter.</p>		

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

None

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

Both Slurry Pond #1 and Slurry Pond #2 have been approved to be and are being filled with coal mine waste and excess spoil in connection with construction of the Excess Spoil Disposal Area # 2.

The Clearwater Pond is also part of this disposal area but will continue to function as a sediment pond until such time as it is needed as a disposal site.

In previous quarters, much of the rejected material from the processing operations had been disposed of in this pile. However, this quarter SCA is studying an effort to reprocess this material to determine if a reduction in waste can occur. Therefore, the quantity of material placed in the disposal area is significantly less than in previous quarters.

Material Samples were gathered last year and analytical results have recently been received. They are attached with this report.

**Certification
Statement**



I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson - Project Director
(Full Name and Title)

Signature: Scott Carlson

Date: 4/12/02

P.E. Number & State: 187727 - UT



Excess Spoil Disposal Area #2, from south looking north



Excess Spoil Disposal Area #2, from east side looking southwest



Excess Spoil Disposal Area #2, from east side looking northwest



Excess Spoil Disposal Area #2, from the north looking south



COMMERCIAL TESTING & ENGINEERING CO.

GENERAL OFFICES: 1919 SOUTH HIGHLAND AVE., SUITE 210-B, LOMBARD, ILLINOIS 60148 • TEL: 708-953-9300 FAX: 708-953-9306

February 28, 2002

Sunnyside Operations
P.O. Box 159
#1 Power Plant Road
Sunnyside, UT 84539
USA

PLEASE ADDRESS ALL CORRESPONDENCE TO:
4665 PARIS, B-200
DENVER, CO 80239
TEL: (303) 373-4772
FAX: (303) 373-4791

Client Sample ID: S.W. 3/15/01
Date Received: 12/18/2001
Matrix: Soil
Project Name/# : Spoils Pile 2001 Composite
SCA

Date Sampled : 03/15/2001

CT&E Sample ID: 072-1271-002

ANALYTE

RESULT

Boron, Total	1.3 ppm
Carbon, Total Organic	5.64 %
Conductivity	5.46 mmhos/cm
Neutralization Potential	119 t/1000t
Nitrogen, Nitrate	4.47 ppm
Nitrogen	0.08 %
Texture Class	Loamy Sand
Sand	86.0 %
Silt	10.0 %
Clay	4.00 %
pH	8.27 su
Sodium Absorption Ratio	10.2 ppm
Magnesium, Soluble	522 meq/L
Calcium, Soluble	710 meq/L
Sodium, Soluble	254 meq/L
Selenium, Hot Water	0.05 ppm
Sulfur, ABP	73.1 t/1000t
Sulfur, AP	45.9 t/1000t
Sulfur, Total	1.47 %



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Kristi Brulls



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Date Received: 12/18/2001
Matrix: Soil
Project Name/# : Spoils Pile 2001 Composite
SCA

Date Sampled : 03/15/2001

CT&E Sample ID: 072-1271-004

ANALYTE

RESULT

Boron, Total	0.97 ppm
Carbon, Total Organic	14.8 %
Conductivity	4.36 mmhos/cm
Neutralization Potential	137 t/1000t
Nitrogen, Nitrate	1.66 ppm
Nitrogen	0.24 %
Texture Class	Loamy Sand
Sand	86.0 %
Silt	10.0 %
Clay	4.00 %
pH	7.37 su
Magnesium, Soluble	318 meq/L
Calcium, Soluble	792 meq/L
Sodium, Soluble	153 meq/L
Sodium Absorption Ratio	6.49 ppm
Selenium, Hot Water	<0.01 ppm
Sulfur, ABP	122 t/1000t
Sulfur, AP	15.3 t/1000t
Sulfur, Total	0.49 %



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Client Sample ID: S.W. 9/30/01
Date Received: 12/18/2001
Matrix: Soil
Project Name/# : Spoils Pile 2001 Composite
SCA

Date Sampled : 09/30/2001

CT&E Sample ID: 072-1271-001

ANALYTE

RESULT

Boron, Total	1.0 ppm
Carbon, Total Organic	6.21 %
Conductivity	3.28 mmhos/cm
Neutralization Potential	136 t/1000t
Nitrogen, Nitrate	1.32 ppm
Nitrogen	1.58 %
Texture Class	Loamy Sand
Sand	84.0 %
Silt	10.0 %
Clay	6.00 %
pH	8.77 su
Sodium Absorption Ratio	16.2 ppm
Magnesium, Soluble	275 meq/L
Calcium, Soluble	179 meq/L
Sodium, Soluble	244 meq/L
Selenium, Hot Water	<0.01 ppm
Sulfur, ABP	122 t/1000t
Sulfur, AP	14.4 t/1000t
Sulfur, Total	0.46 %



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Client Sample ID: N.E. 9/30/01
Date Received: 12/18/2001
Matrix: Soil
Project Name/# : Spoils Pile 2001 Composite
SCA

Date Sampled : 09/30/2001

CT&E Sample ID: 072-1271-003

ANALYTE

RESULT

Boron, Total	1.1 ppm
Carbon, Total Organic	8.33 %
Conductivity	5.58 mmhos/cm
Neutralization Potential	142 t/1000t
Nitrogen, Nitrate	2.29 ppm
Nitrogen	0.15 %
Texture Class	Loamy Sand
Sand	86.0 %
Silt	8.00 %
Clay	6.00 %
pH	8.56 su
Sodium Absorption Ratio	11.1 ppm
Magnesium, Soluble	545 meq/L
Calcium, Soluble	621 meq/L
Sodium, Soluble	267 meq/L
Selenium, Hot Water	<0.01 ppm
Sulfur, ABP	124 t/1000t
Sulfur, AP	18.1 t/1000t
Sulfur, Total	0.58 %



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Client Sample ID: Center 11/10/01
Date Received: 12/18/2001
Matrix: Soil
Project Name/# : Spoils Pile 2001 Composite
SCA

Date Sampled : 11/10/2001

CT&E Sample ID: 072-1271-005

ANALYTE

RESULT

Boron, Total	1.2 ppm
Carbon, Total Organic	7.17 %
Conductivity	4.77 mmhos/cm
Neutralization Potential	140 t/1000t
Nitrogen, Nitrate	1.28 ppm
Nitrogen	0.13 %
Texture Class	Loamy Sand
Sand	84.0 %
Silt	10.0 %
Clay	6.00 %
pH	8.37 su
Sodium Absorption Ratio	8.94 ppm
Calcium, Soluble	614 meq/L
Magnesium, Soluble	408 meq/L
Sodium, Soluble	202 meq/L
Selenium, Hot Water	<0.01 ppm
Sulfur, ABP	120 t/1000t
Sulfur, AP	19.7 t/1000t
Sulfur, Total	0.63 %



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